

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

AMENDED CHIEF HEARING OFFICER DIRECTIVE

DOCKET NOS. 2021-88-E, 2021-89-E, and 2021-90-E ORDER NO. 2021-51-H

APRIL 26, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Dominion Energy South Carolina, Incorporated's ("DESC's") 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)

Duke Energy Carolinas, LLC's ("DEC's") 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)

Duke Energy Progress, LLC's ("DEP's") 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)

MATTER UNDER CONSIDERATION:

Petitions to Intervene of the South Carolina Department of Consumer Affairs

CHIEF HEARING OFFICER'S ACTION:

This Directive is amended to correct the Order Number shown on the original Directive. That is the only change in this Amended Directive.

This matter comes before the Chief Hearing Officer on the Petitions to Intervene of the South Carolina Department of Consumer Affairs ("Consumer Affairs" or "the Department") in the three Avoided Cost Proceedings described above.

Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the South Carolina Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

In the present cases, Consumer Affairs clearly sets out the facts from which the nature of the right or interest can be determined and the grounds of the proposed intervention. Pursuant to S.C. Code Ann. § 37-6-604 (2018), the South Carolina Department of Consumer Affairs may provide legal representation of the consumer interest before state

and federal regulatory agencies when such agencies undertake to fix rates or prices for consumer products or services and may intervene as a party to advocate for the interest of consumers before the South Carolina Public Service Commission. With regard to its position, the Department works to avoid excessive, inadequate, and unwarranted rate increases; however, a position has not yet been fully developed on this matter. Petitioner reserves the right to set forth the position more fully as necessary and appropriate as this proceeding moves forward.

Pursuant to these facts, this Chief Hearing Officer holds that Consumer Affairs has successfully satisfied the three criteria for intervention stated in the Commission Regulation in all three avoided cost dockets. Consumer Affairs' interest in these matters can clearly be discerned, as can the grounds for the intervention. With regard to its position, the fact that the Department states that it reserves its right to set forth its position more fully as necessary and appropriate as this proceeding moves forward sufficiently addresses the "position" criteria.

There are no objections to the interventions. Accordingly, the three Petitions to Intervene of the South Carolina Department of Consumer Affairs are hereby granted in these Dockets. This ends the Chief Hearing Officer's Directive.